

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Police Department – Sanction of Prosecution orders on the accused police personnel of (6) members in Cr.No. 39/2002, under sections 341, 353, 186, 506, 307 and 379 Indian Penal Code and section (1) (b) of Criminal Law Amendment Act, 1932 at Dubbak PS of Medak District – Orders – Issued.

HOME (LEGAL-II) DEPARTMENT

G.O.Ms.No. 251

Dated: 31.10.2011
Read:

From the D.G.P., A.P., Hyderabad, Lr.Rc.No. 911/Compts-4/2007, dt: 07.03.2007 and 28.09.2007 along with the letter from S.P, Medak Dist. No. C1/43/PROSE/2003, dated: 17.12.2003.

ORDER:

In the reference read above, the Director General of Police, Andhra Pradesh, Hyderabad, has requested the Government to accord permission to prosecute the accused Sri A.Prabhakar Reddy C.I., Madbusudhan P.C 1858 and Shaik Yakub Jain P.C 1489 of Mirdoddi P.S of Medak District and P.Kankaiah P.C 77, M.Mohan P.C 586 and A.Yadavareddy P.C 1034 of Dubbaka Police Station of Medak District, in Crime.No. 39/2002, under sections 341, 353, 186, 506, 307 and 379 IPC and section 1(b) of Criminal Law Amendment Act, 1932.

2. And whereas, the Superintendent of Police, Medak Dist in his letter dated. 17.12.2003 addressed to the Director General of Police, A.P., Hyderabad, has stated that on 16.05.2002 at 1600 hours the complainant Sri Sarveshwar Rao, Deputy Superintendent of Police, A.C.B Nizamabad lodged a complaint with the Sub Divisional Police Officer Siddipet camping at Dubbak PS stating that he is working as Deputy Superintendent of Police, ACB, Nizamabad Range, Nizamabad. On 06.05.2002 he himself along with Inspector K.Muralidar, M.Surya Rao of Nizamabad and Sangareddy came to Dubbak after registering a case in Cr.No. 8/ACB-NZB/2002, U/s 7 of P.C Act 1988 on the complaint of Sri A. Balraj S/o Yellaiah R/o Peddagundavelli against Sri K.Prabhakar Reddy, CI of Police, Duddak Cricle and G.Veeraiah, SI of Police, Duddak for demanding accept of bribe Rs. 15000/-. After conducting the pre-trap proceedings at the office of Inspector, Sangareddy and reached Duddak at 10.45 A.M. On his direction the complainant along with the accompanying witness Gangaiah entered into the Police Station 11.00 AM. At about 11.30 A.M the complainant A.Balraj along with accompanying witness Gangaiah came out from the main gate and gave pre-arranged signal to the trap party. Immediately K.Muralidhar, Inspector, Nizamabad, Sri C.V.Sharma (Mediator) PCs 154, 1137, entered into SIs room. Sri M.Surya Rao, Inspector, ACB, Sangareddy, HC 831, PCs 393 and 1390 along with one mediator Omar Ali proceeded towards the CIs office as he is following to hide his identity. When M.Surya Rao, Inspector, ACB, Sangareddy, Krishna PC and mediator Md Omar Ali entered into the room of Circle Inspector after introducing himself. Sri M.Surya Rao, Inspector and constable apprehended the C.I by holding his wrist, but the CI Prabhakar Reddy forcibly licked his fingers and rubbed to the hand kerchief and became wild by saying in loud voice that "ACB Vallu leru, evaru leru, antha naxallite Lanja Kodukulu, Veellani lock-up-lo-veyandi, Kalchi pareyandi, Yemi Chestunnarura meerantha, Yevanini padithe vallnu lopaliki ranishtaru, Kalchi pareyandi lanja kodkulanu" by saying the above words the CI Prabakar Reddy caught hold the collar of Sri M.Surya Rao, Inspector and dragged him towards the sentry post. On hearing the voice of Circle Inspector Prabhakar Reddy the Constables Sri Madhusudan, PC 1858, Kanakaiah, PC 77, Yakub Jani PC 1489, A.Yadava Reddy, PC 1034, M.Mohan, sentry PC 586 and some others joined the CI and Pushed all the ACB staff forcibly and man handled them an obstructed the legitimate duties of ACB in the meantime he introduced himself to Sri Prabhakar Reddy, CI even then the CI shouted loudly on the ACB personnel. Later he warned the Circle Inspector to remain calm. Then the Circle Inspector Sri Prabhakar Reddy kept silent and remained controlling self and his staff

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made a through search after conducting and yielding of Sodium Carbonate test positive but even then they could not recovered the tainted amount. The Circle Inspector Sri Prabhakar Reddy shouted loudly and caused obstruction to the A.C.B staff and sent the bribe tainted amount to outside with one of his close constable. The CI Prabhakar Reddy and the Constables mentioned in the report have wrongfully restrained the DSP, ACB Inspector Sangareddy Staff and Govt Servant (mediator) Sri Omar Ali. Therefore it is requested to take necessary action against Sri Prabhakar Reddy, CI and five constables for obstructing man handling threatening with dire-consequences and wrongful restraintment.

3. And whereas during the investigation, all concerned officials and witnesses were examined and the accused K. Prabhakar Reddy, CI of Police, Duddak PCs 1858 ad 1489 of Mirdoddi PS PCs 77,586 and 1034 of Duddak PS were arrested on 17.05.2002 and sent for judicial remand since the accused noted above are public servants within the meaning of Section 21 of Indian Penal Code 1860, to accord prosecution orders from Govt required under section 197 Cr.P. Hence, the prosecutionare required on the following persons:

1. K. Prabhakar Reddy, CI, of Police, Duddak
2. P.Madhusudhan, PC 1858 of Mirdoddi PS.
3. Shaik Yukub Jani PC 1489 of Mirdoddi PS.
4. P.Kankaiah, PC 77 of Duddak PS
5. M.Mohan, PC 586 of Duddak PS
6. A. Yadava Reddy, PC 1034 of Duddak PS.

4. The Additional Public Prosecutor, Medak has opined that in the instant case as seen from the CD file all the accused were employed and were discharging their official duties in the capacity of public servants and employed in connection with the affairs of the state and were discharging their official duties in the police station at the time incident and as such the case comes under the preview of Sec. 197 Cr.P.C and as such sanction for prosecution from the Government to file charge sheet against the accused is necessary.

5. The Government of Andhra Pradesh, after careful examination of the report of the Director General of Police, Andhra Pradesh, Hyderabad, and considering the opinion of APP, Medak, and further in excise powers conferred, hereby accord permission to the Director General of Police, Andhra Pradesh, Hyderabad, to prosecute the accused police personnel of Sri A.Prabhakar Reddy C.I, Madbusudhan P.C 1858 and Shaik Yakub Jain P.C 1489 of Mirdoddi P.S of Medak District and P.Kankaiah P.C 77, M.Mohan P.C 586 and A.Yadavareddy P.C 1034 of Dubbaka Police Station Medak District, who are involved in Cr.No. 39/2002, under sections 341, 353, 186, 506, 307 and 379 Indian Penal Code and section (1) (b) of Criminal Law Amendment Act 1932 at Duddak PS Medak District, and issue prosecution orders against them in the interest of justice.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(P. GAUTAM KUMAR)
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Hyderabad.
Copy to:
The Law (E) Department,
The P.S to Prl.Secy, Home Department.
C.No. 16277/Legal.II/A2/2011
SF/SC.